

## COMPANY TO GIVE TRANSFERS

Commerce Court Holds Inter-City Company Must Obey Ruling.

## OLD CASE MAY BE APPEALED

Street Railway Company to Contest Jurisdiction of Interstate Commerce Commission Over Its Affairs.

The new United States commerce court handed down a decision Thursday that the interstate commerce commission has jurisdiction over street railways engaged in interstate business, just as it has over steam railways engaged in interstate traffic.

This decision was made in the case brought in United States circuit court by the Omaha & Council Bluffs Street Railway company and the Omaha & Council Bluffs Railway and Bridge company to enjoin the interstate commerce commission from enforcing a rule by which, while upholding the 10-cent fare across the Douglas street bridge, it sought to compel the company to give transfers.

The circuit court made a temporary restraining order. Then the case went to the commerce court, to which all interstate matters in circuit court were assigned.

The result is that the commission's 10-cent fare order holds good unless the street railway company can knock it out in the supreme court. At present residents of Council Bluffs pay an extra 5-cent fare to any point in Omaha not on the Twelfth-Fourteenth street "loop," and residents of Omaha boarding a car outside the loop pay 15 cents to points in Council Bluffs.

"It is my judgment," said John L. Webster, attorney for the street railway company, "that appeal to the supreme court should be taken from the decision of the commerce court, and it probably will be."

**Big Question Involved.**  
The case involves not merely the question of whether or not the company must issue transfers to persons who pay the 10-cent fare across the bridge, but the entire matter of the commerce commission's right to jurisdiction over the company. This includes the right of the commission to compel the company to report to it on its revenues, expenses, physical valuation, and so forth.

The commission's order was issued after hearing the complaint of people of west Council Bluffs, who alleged that the 10-cent bridge fare was unreasonable and asked for a 5-cent rate. The commission said:

"That a reduction of defendant's fare of 10 cents to 5 cents would not be justified, but that limiting the 10-cent fare to points on the loop in Omaha is unjust and unreasonable, and that the fare from Council Bluffs, not including Courtland Beach, to any point on defendant's lines in Omaha from any point on defendant's lines from Omaha to Council Bluffs, should not exceed 10 cents for a continuous trip or for a trip upon which passengers conform to proper and reasonable regulations governing the use of transfer tickets, it transfer be required."

The order was made in November, 1909, to become effective February 1, 1910. On February 1, 1910, the street railway company asked the circuit court for an injunction and a temporary restraining order was issued in April. The case was transferred to the commerce court in April of this year.

The directors of the street railway company will meet with counsel probably Tuesday to decide upon what course of action should be taken.

## SIOUX CITY BUSINESS MEN SEE THE PARADES

Directors of the Sioux City Commercial club, members of the grand council of the Tribe of the Sioux of Sioux City, and other prominent men of the place made a trip to Omaha in their special Pullman palace car to witness the electrical and military parades. Members of the Tribe of the Sioux, an organization similar to Ak-Sar-Ben, admitted they picked up some valuable pointers about how the thing is done.

While awaiting the electrical parade, the Sioux Cityans occupied seats in the stand in front of the court house and amused themselves by singing the "Ain't Got No Style" song to Police Captain Dempsey, Mayor Dahlman and other Omahans.

In the party were George E. Parker, head of the Commercial club; Dr. J. E. Garver, head of the Tribe of the Sioux; Joe Morton, secretary of the Interstate Live Stock fair; Councilman H. S. Whitely, superintendent of public safety; Thomas Nauden, W. E. Holmes, secretary of the Commercial club; George E. Evenson, Paul F. Kallish, C. E. Englehart, J. C. Hamilton, C. E. Turnbull, J. B. Keefe, W. F. Dickinson, C. T. Claypool, O. D. Pettit, A. W. Towley, superintendent of the Northwestern railway; Sheriff E. G. Dille, G. F. Taylor, F. H. Reed, Len Gillis, C. A. Koons, Thomas R. Beck, H. F. W. Moore, head of the Shengberg company; Ben J. Kieffer and John Hopkins.

Councilman Whitely led the singing.

## FURTHER HEARING IS HAD IN DUNDEE WATER CASE

An application to have the injunction secured by the Omaha Water company against the George Real Estate company modified will be heard this afternoon in the United States circuit court before Judge W. H. Munger. The injunction restraining the George company from connecting their pipes with those of the Water company was granted Wednesday afternoon, and the George company wishes to have their tenants who are now without a water supply accommodated pending the settlement of the suit.

## How to Cure Rheumatism

Prominent Doctor's Best Prescription It Is Easily Mixed.

This is a very simple and harmless formula, but it has worked wonders for all who have tried it, quickly curing chronic and acute rheumatism and backache. Get one ounce of syrup of Sarsaparilla compound and one ounce of Toria Whiskey (or Sherry). Mix it in a glass and put the other two ingredients into it. Take a tablespoonful of this mixture before each meal and at bed time. Shake the bottle before using. Results are felt in half a day. Any gout or rheumatism that has been on for a long time will quickly get from their whole system. This was previously published here and many of the worst cases of rheumatism and backache were cured by it in a short time. The tonic effect of this treatment is also very valuable. While eradicating rheumatism it also restores vitality.—Adv.

Men's Separate Entrance N. W. Cor. 16th and Douglas Sts.



# BRANDEIS STORES

## WONDERFUL CASH PURCHASE

### Men's Suits and Overcoats

From a Famous New York Maker at an Extraordinary Bargain

This manufacturer needed ready cash and accepted an offer from us on his stock on hand that barely covered the cost of making. This means a great saving to you on the winter suit or overcoat you need right now. This is another one of those great sales that have made Brandeis Stores famous everywhere.

Most Remarkable Sale of Men's Clothing Ever Held By Brandeis Stores Right at the Opening of the Season

This stock has just reached us and is now being prepared for special sale. Don't miss this great event.

Saturday--One Day Only

Every one of these suits and overcoats is high class, all wool and up-to-date in every way. You can buy a splendid suit or overcoat here Saturday for at least \$5.00 less than you pay anywhere else in Omaha.

#### MEN'S SUITS and OVERCOATS

From the New York Mfgs. Stock.

Well made garments of good proven fabrics, shape retaining—**ACTUALLY WORTH \$15 and \$18, at \$10**

#### OVERCOATS and MEN'S SUITS

From the New York Mfgs. Stock.

These are all hand tailored and give excellent wear. **ACTUALLY WORTH \$20 and \$22.50— at \$15**

#### MEN'S SUITS and OVERCOATS

From the New York Mfgs. Stock.

The highest class garments in the purchase. Every one a great value. **ACTUALLY WORTH \$27.50 and \$30, at \$20**

#### Men's Cravettes and Slip-On Raincoats

Just the thing for chilly fall weather. Good for every month of the year. Values up to \$20.00, at \$5.00, \$8.50 and \$10.00

#### Men's All Wool Blue Serge Suits

Serviceable all the year around. Every man needs a good blue serge suit. These are of all wool fabrics, at \$10 to \$25

#### Boys' Overcoats

In Chincheillas, fancy chevrons and velours; worth up to \$7, at \$2.95 \$3.98 and \$4.98

#### MEN'S PANTS

Worth up to \$4, at \$2.50 and \$2.95

#### Boys' All Wool Worsted and Cheviot Knee Pants Suits

With two pairs of pants to match; values up to \$7.50—special groups at \$2.98, \$4.98 and \$5.50

#### Boys' Suits at \$1.98

Double breasted suits and Children's Russian Blouse or Buster Brown suits; all sizes; worth up to \$4, at \$1.98

### Special Sales Men's Shirts and Underwear

Manufacturer's Samples Men's Negligee and Outing Shirts—Worth up to \$2.50, at 98c

Men's Sample Shirts—Worth up to \$1.50, at 59c

Manhattan and E. & W. Shirts.....\$1.50 to \$3.50

Men's Fall Weight Ribbed Union Suits, values up to \$2.50, at 98c and \$1.50

Men's Extra Heavy Fleece and Derby Ribbed Underwear; values up to \$1.00, at 39c and 50c

Munsing Union Suits for Men..\$1.00 to \$4.50

Men's Lamb Wool Underwear, worth up to \$3.00, at 98c and \$1.50

Root's Tivoli Medicated Underwear, \$1.50, \$2

Men's Hand Made Sweater Coats with the new high collar, vest shape and military collar; worth up to \$10.00, at \$2.50, \$3.98 and \$4.98



Men's and Boys' Lined Gloves and Mittens; values up to \$2, at 75c, 98c and \$1.50



There are a lot of good values in this lot. Just 400 pairs in such well known makes as Florsheim \$5.00 shoes and Manhattan \$4.00 shoes, also samples from T. D. Barry & Co., button and blucher lace, in patent coltakin, box calf-skin and tan calfskin. Good up to date, well made shoes, at \$2.45

#### Men's Shoes

Worth \$4.00, at \$2.45

### Sale of Men's Fall Hats

Best styles—best values Stiff and Soft Hats for men and young men from the foremost makers.

Stetson Hats—The very acme of hat perfection, insures style correctness and best service; all the newest fall styles in soft and stiff hats, \$3.50 at \$2.00

Brandeis Special Hats at \$2.00—Made of fine fur felt, expertly blocked and silk trimmed; newest soft and stiff styles.....\$2.00

Men's Sample Hats—Soft and stiff hats; all samples; values up to \$3, at 98c and \$1.45

Genuine Hungarian Velour and Silk Lined Hats—Specials at \$2.00 and \$2.50

French Velour and Beaver Hats—At \$5 and \$7.50

Boys' \$2 Hats at 98c. Sample new fall styles at 98c

Boys' Fur Lined Caps—School caps at 25c and 49c

Fine Leather Suit Cases; values up to \$8.50, at \$4.98

Omaha agents for the celebrated Innovation Wardrobe Trunks.

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### GIVE SOLDIER CIVIL TRIAL

Don McKenzie, Who Kills Earl Hohlbeck Delivered to Sarpy.

GLOOM HANGS OVER COMPANY

Comrades Break Camp and Return to Homes, Leaving One of Their Number in Morgue and Another Behind Steel Bars.

The military authorities at Camp Mickey issued a writ Friday morning placing in the charge of the sheriff of Sarpy county Don McKenzie, who will be tried for the killing of his comrade, Earl Hohlbeck.

Brigadier-General Storck in discussing the incident expressed his regret at the affair. "It was an accident, pure and simple," he said, "for the boys had been friends and McKenzie had no intention when he struck Hohlbeck of killing him."

Company B boarded a special train for Wisner with gloomy countenances, for the affair affected every officer and private, all of whom knew and respected the dead guardman and were comrades of McKenzie in camp and at home.

The officers of the camp who have investigated the affair believe the county attorney of Sarpy county will not push the prosecution as McKenzie is grief-stricken over the killing and asserts his innocence of attempting the murder of his comrade.

An autopsy performed on the body of Earl Hohlbeck, the militiaman killed by Don McKenzie, a comrade at Camp Mickey, was held at Larkin's funeral parlors Friday morning. It was found that the young man had come to his death from a blow in the solar plexus. Hohlbeck, the autopsy showed, was in a more or less weakened condition of body.

ROSEBUD COUNTRY HAS HAD PLENTY OF RAIN

Inador H. Cohn of the city engineering department is among the first of the Omaha people to return from the Rosebud country after registering for land.

Cohn went to Gregory, reaching there Thursday morning, registering and starting back the same day. He states that neither going nor coming were the trains crowded, and at Gregory, in order to register, he had to wait in lines but about half an hour.

Speaking of the reservation country, Cohn says that what he saw of it looked fine. Up in that country there have been numerous heavy rains during the last few days and the streets of the towns are seas of mud. Many of the streams are out of their banks and the waterholes, many of which were dry last summer, are now filled to overflowing. Crops are above the average and cattle on the range are fat enough for beef.

### Stone Pointer Gets Judgment Against Caldwell & Drake

Gust Thoren, the man who threw up the stone pointing sub-contract on the affords to do the work to the satisfaction of John Latenser, architect on the building, was given judgment against Caldwell & Drake, the general contractors, for \$138 for his work, by County Judge Leslie Friday morning.

According to Thoren's testimony, he contracted to do the job for \$1,500, but reduced his price to \$1,000 when the general contractors, through their superintendent, Calvin Ziegler, told him he need not do the work in such a thorough manner as he had supposed. He said he understood all he had to do was to satisfy Caldwell & Drake, but after he had been at work twenty-three days Mr. Latenser said such work could not be accepted, as it was not up to the plans and specifications. He then threw up the job. The contractors would not pay him he said.

Calvin Ziegler testified he tried to make it plain to Thoren from the beginning that Mr. Latenser must be satisfied. As further proof in support of his contention Thoren's attorneys showed that after Thoren gave up the contract it was let to another man for \$1,000, this being the lowest responsible bid secureable, even though a considerable part of the work already had been done.

He fails to Clear Cohn Murder Case

Mark Houder, the Sioux City farmer who came to Omaha the other day and dropped word around town that he could clear up the Cohn murder, drifted into the police station at noon Friday. The police, eager to learn any information he might have, pounced upon him, figuring he had some inside knowledge. He said he had hardly been in his mind. Houder declared that Ben Trimble, who shot Reuben Elton last January, is guilty of the Cohn murder, but Trimble has a clean bill and a bona fide alibi, for he was sent to the penitentiary before Cohn was slain. Houder tells a disconnected, irrational story, in which he speaks of numerous crimes, and the police believe he is demented. He was cast into a cell to give him time to wear out his jaw.

Shortly after the arrest of Houder, Hans Wicker appeared at the station and admitted that the prisoner was his uncle. He says that Houder is daft on crime, and talks and dreams murder whether he is drunk or sober.

LITTLE DAMAGE DONE BY THE RECENT RAINS

Members of Engineer Craig's forces have made the rounds of the city and have found that the damage done to streets by the recent heavy rains is nowhere as great as was anticipated.

During the last week the aggregate precipitation has been close to three inches and as a large portion of the new street grade in the city was soft, it was thought that it would wash badly. However, this grade has stood the rains remarkably well and the washouts have been few and insignificant. Some of the new sewer trenches have dropped down, but there are few cave-ins.

A Bloody Affair

is lung hemorrhage. Stop it; and cure weak lungs, coughs and colds, with Dr. King's New Discovery. 50c and \$1.00. For sale by Beaton Drug Co.

### While Out on Bail Robs Another Man

Facing a charge of larceny from the person for stealing \$18 from Elmer Woodcock, and at liberty under bail, Louis Wilson, alias George Lumme, picked \$38 from the pocket of Albert Frank, according to a second charge, on which he was arraigned in criminal court Friday.

Wilson was arrested under the name of Lumme for robbing Frank on September 25. He was arraigned on that charge and pleaded not guilty. Jailer Osborn recognized him as having been in jail under the name of Wilson for the Woodcock robbery September 18. County Attorney English arraigned him on that charge also. He pleaded not guilty and will be tried within a couple of weeks.

Birdie Warren pleaded not guilty to a charge of robbing Nick Patrook of \$250. Frank Stewart pleaded not guilty to a charge of assaulting Lena Burns with intent to do great bodily injury. Walter Hodges pleaded not guilty to a charge of stabbing Saunders Hayes with intent to wound.

Omaha Elks Ready for Big Clam Bake

The Omaha lodge of Elks will hold their first genuine Rhode Island clam bake at Courtland Beach Saturday afternoon, October 14. At a meeting of the committee in charge of the affair, held Thursday evening, it was shown that a sufficient number of tickets had been sold to guarantee the success of the affair. Less than 100 tickets of the limited number ordered remain unsold. John Sipple of Gloucester, N. J., who pulled off a clam bake for the Mansfield, O., Lodge of Elks on September 29, and who held his seventh annual clam bake at Columbus, O., October 5, under the direction of the Lodge of Elks of that city, will arrive in Omaha Saturday evening, and will give his personal assistance to the committee in arranging for all the details in advance. The order for the bluefish, lobsters, soft and round clams and sea-weed has been placed with a local fish commission house. The South Omaha Elks are most enthusiastic over the proposed clam bake, and E. W. Cahow, through his own personal efforts, sold over 100 tickets in the Stock Exchange building.

CALL OUT FOR REPUBLICAN NATIONAL COMMITTEE MEN

As member of the republican national committee for Nebraska Victor Rosewater is in receipt of the official call for a meeting of the committee to fix the time and place of holding the next republican national convention. The committee is to assemble at Washington December 12 and the call is signed by William Hayward of Nebraska, as secretary, and ex-Governor John F. Hill of Maine, as acting chairman.

CITY IS BEING SUE FOR HYDRANT RENTAL

The suit to recover \$47,540 from the city of Omaha is being tried in the United States circuit court. The amount is claimed for hydrant rental for the first six months of 1911. This is the thirteenth suit against the city for the same cause.

### Boy's Mind Fired by Adventure Tale

Leo Winneka heard the reading of a tale of adventure while attending the Wednesday afternoon session at Edward Rosewater school, and since then he has not been seen. It is believed by the police who are investigating the disappearance that the boy's mind was inflamed to the point of going out into the world to seek his fortune. The boy's home is at 3714 South Sixteenth street, and the disappearance was reported by his aunt, Mrs. Thomas Carmondy. He is 12 years old.

Calumet and Hecla Rises.

BOSTON, Oct. 6.—There was a marked rise in Calumet and Hecla and affiliated companies on the Stock exchange about noon today over the rumor that the proposed merger plan with nine other companies had been abandoned. The report has not been confirmed.

### Pleasant, Refreshing, Beneficial, Gentle and Effective.

NOTE THE NAME

CALIFORNIA FIG SYRUP CO.

In the Circle, on every Package of the Genuine.

DO NOT LET ANY DEALER DECEIVE YOU.

SYRUP OF FIGS AND ELIXIR OF SENNA HAS GIVEN UNIVERSAL SATISFACTION FOR MORE THAN THIRTY YEARS. PAST, AND ITS WONDERFUL SUCCESS HAS LED UNSCRUPULOUS MANUFACTURERS OF IMITATIONS TO OFFER INFERIOR PREPARATIONS UNDER SIMILAR NAMES AND COSTING THE DEALER LESS; THEREFORE, WHEN BUYING, NOTE THE FULL NAME OF THE COMPANY.

CALIFORNIA FIG SYRUP CO.

PRINTED STRAIGHT ACROSS, NEAR THE BOTTOM, AND IN THE CIRCLE, NEAR THE TOP OF EVERY PACKAGE OF THE GENUINE. REGULAR PRICE 50c PER BOTTLE, ONE SIZE ONLY. FOR SALE BY ALL LEADING DRUGGISTS.

SYRUP OF FIGS AND ELIXIR OF SENNA IS THE MOST PLEASANT, WHOLE, SOME AND EFFECTIVE REMEDY FOR STOMACH TROUBLES, HEADACHES AND BILIOUSNESS DUE TO CONSTIPATION, AND TO GET ITS BENEFICIAL EFFECTS IT IS NECESSARY TO BUY THE ORIGINAL AND ONLY GENUINE WHICH IS MANUFACTURED BY THE

CALIFORNIA FIG SYRUP CO.

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